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Mr. G. Armitage Smith is clearly enough not a lawyer, and is even more clearly a very capable economist. And it is perhaps significant in this connection to note that, according to his analysis, habitation taxes are in the main shifted to the ground rent. If such is the truth of the case, some comfort should thereby accrue to the single-tax sect in England, and, at the same time, some occasion for irritation to those persons who find the English tax burdens progressively tending to fasten themselves overmuch upon the land. But even more clearly it must also follow that great need exists in the English system for the inclusion of "non-income-bearing personalty" within the reach of the imperial income tax.

Speaking generally of the *Principles and Methods of Taxation*, it is to be said that, for the purposes of the English reader, it is almost an ideal book, and, while seemingly not written for textbook purposes, should make a most excellent manual for instruction in English classes. It is, however, so distinctly and concretely English in point of view and in subject-matter that it can hardly make serious appeal to the American market either as a text or as a treatise upon taxation in general, but only as a most serviceable discussion and summary of English methods and English problems.

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*Municipal Ownership in Great Britain.* By HUGO RICHARD MEYER. New York: The Macmillan Co., 1906. Pp. xii+340.

"Great cases," says Justice Holmes in his dissenting opinion in the Northern Securities case, "like hard cases make bad law. The great cases are called great, not by reason of their real importance in shaping the law of the future, but because of some accident of immediate overwhelming interest which appeals to the feelings and distorts the judgment." Justice Holmes might have gone much farther in the application of this doctrine. Great cases disturb the judgment, not only of judges and lawyers, but of economists, doctors, and scientific investigators. So long as a question is in the academic stage the opinions of experts are likely to end in some form of agreement, at least on essential points, but as soon as practical issues invade the field the situation becomes complex to an amazing extent. The money question, free trade and protection, trades-unionism,

and a host of other issues divide the ranks of trained economists almost as much as they do those of laymen.

Municipal industries, such as transportation, lighting, and telephone service, are in the arena of practical interests, and are therefore subjects of bitter controversy. Professor Meyer has written a book on municipal ownership in Great Britain which is almost an indictment of the entire British people. So far as it goes, the book is a model in its way. No one need feel any doubt as to where the author stands. It shows an excellent grasp of the subject, and is a scholarly, though somewhat uninteresting, presentation of the evidence from his own point of view; but it leaves the reader unconvinced. He charges the municipal officials of Great Britain with absurd prejudices, a bitter, almost malignant, hostility to private enterprise in the field of municipal service, and dense ignorance of the subject. Professor Meyer has worked up his sympathies for the condition of the British people to a quite extraordinary degree of sensibility. Unless the English municipalities grant more liberal terms to private companies in the matter of municipal light and transportation, he apprehends that the civilization of England is doomed. His chapter entitled "Back to the Dark Ages" is obsessed with the fear of England's degeneracy.

It must be admitted that the English cities have shown extraordinary precaution in granting franchises to private companies. Possibly this precaution may have been excessive in certain instances, and yet there is more to plead in its behalf than Professor Meyer recognizes. In the first place, man does not live by transportation and electric light alone. There have been peoples which have worried along and have contributed valuable elements to civilization without the assistance of swift transportation or brilliant lighting. In the second place, Professor Meyer forgets that Englishmen have the qualities of their defects. They move more slowly from one economic or political stage to another than the more agile American. As a compensation for this Fabian quality they secure in the end perhaps more definite and more lasting reforms. In the year 1900 one of the large hotels in London had one telephone, and this was comparatively neglected; while at the same time a hotel of similar size in New York had half a dozen in constant use. There was no hindrance to the use of the telephone in London except the inertia of the people. In that same year not a bank in London permitted a telephone within the business premises,

though New York banks regarded a telephone as a necessity of business existence. Other instances could be given of differences between English and American habits having their origin, not in legal, but in temperamental conditions. In proportion to population English municipalities have not the same street-car mileage that American cities have. "In 1890," says Professor Meyer, "the cities of the United States having 50,000 or more inhabitants had 3,205 miles of first main track of street railway. Had the corresponding cities of England and Wales had a proportionate mileage, they would have had 3,190 miles of first main track. As a matter of fact, England, Wales, Scotland, and Ireland," Professor Meyer triumphantly exclaims, "had an aggregate mileage of 948 miles only." This indictment is not as damning as the author would have us believe, nor does it finally impeach the judgment of the municipal authorities of England. The English people have not, under the most liberal construction of laws, overcome a certain prejudice against car tracks in the streets of their cities. Business and other interests are united in their opposition to urban street-cars, except under favorable conditions where streets are wide enough to give easy room on either side of the tracks. There is also the establishment of the omnibus system, far more prevalent in English than in American cities, and having favorable features of its own.

Professor Meyer attributes much of the backwardness of Great Britain in urban transportation to the act of 1870, under the administration of which the municipal governments acquired a sort of veto power over the granting of franchises. From his point of view these local governments have been stupid, unreasonable, and indifferent to the welfare of the people. This opinion is largely based on mere assumption. It is far more reasonable to suppose that the municipal governments of Great Britain have represented the wishes and interests of the people quite as faithfully as the municipal governments of the United States have their own. Professor Meyer gives statistics showing that over-crowding is very prevalent in certain English cities, notably Manchester, Leeds, and Bristol, to which increased facilities of transportation would have afforded great relief. Yet American cities also suffer from congestion even with their better methods of transportation. Professor Meyer also objects to the zone system, or a given fare for a given distance. On this point he is doubtless correct, but this is not a criticism of municipal ownership, but is the result of an ingrained preference

of the English and continental people. The graded fare is well-nigh universal in European cities, whether the service is under municipal or private operation.

Some of the best examples of successful municipal operation in Great Britain the author scarcely mentions. Liverpool, for instance, has an excellent system of electric tramways. The Corporation of Liverpool (the municipality) bought the old horse tramway in 1897. It was remodeled, and electricity was adopted as a motive power. The tramways of Liverpool will compare favorably with any system of surface cars in America. In this case, after purchase by the city, fares were lowered and the hours of work reduced. For the year 1904 the total income was £547,625; total operating expenses and general charges were £367,845; leaving a balance of £179,780, of which more than one-fourth was devoted to the sinking fund, nearly an equal sum to interest on loans, and another equal sum to depreciation account.

Professor Meyer shows in great detail the obstinacy and inefficiency of certain local officials in England, but he overlooks one cause of the difficulty. This, as has been pointed out by a recent English authority is due to the extremely restricted area of administrative divisions in Great Britain. Before the days of the railway these areas were in rough harmony with the social arrangements of the population. Each village or borough did represent a more or less unified community, the inhabitants of which had sufficient interests in common to make it a workable unit for administrative purposes. But with the advent of the railway, bringing in a large outside population, this homogeneity was lost. What is obviously needed is a larger administrative area. Public services like street-car transportation, electric lighting, or water, whether under government or private operation, must be worked on a scale of considerable magnitude or they are likely to be failures. And it is manifestly impossible for men interested in enterprises of this kind, whether for their own profit or for the public benefit, to secure their franchises from a great number of local bodies, some of which are actuated by motives of local jealousy or pride. These petty officials are likely to be obstructionists, and the obstinacy of a single administrative body may jeopardize the success of an otherwise useful undertaking. In respect to the obstructive tactics of these officials it is impossible to doubt that Professor Meyer has pointed out a real evil in English political life. Nothing would relieve the situation more than some

device whereby existing local areas could be united into larger groups. The officials could then organize these public services on a larger and more efficient scale. Legal expenses would be much reduced, vexatious friction between petty officials would be removed, lower fares could be established on electric car lines, and cheaper rates for electric lighting. This is a reform, however, not necessarily tending in the direction of private operation of public utilities. It might, on the contrary, work for a more rational government control.

The greatest disappointment of Professor Meyer's book is its exaggerated emphasis of the shortcomings of British Municipalities. When comparisons are made between the public utilities of English and American cities, only the shortcomings of the former and the successes of the latter are mentioned. The whole question is discussed as though it were only a matter of material efficiency of municipal tramways, electric lighting, and similar services. But efficiency is not a simple but a complex conception. We may have very efficient service in one sense, without having it in another. It is possible to have an extensive system of municipal transportation with every element of material service, like cars, speed, and management, in perfection, and yet there may be labor difficulties or political complications. In other words, there may be material efficiency and political or financial inefficiency. When unbiased foreigners look over the whole range of American municipalities, they are not apt to be favorably impressed. They have their doubts as to our efficiency in its broader sense. As an example we may refer to the halting conclusions of so fair-minded an observer as the author of the *Future in America*. The English municipalities are in a measure wisely cautious of making irremediable mistakes. But the author has no patience with this hesitating attitude of mind. For instance, in 1882, when electric lighting was still in its infancy, a committee of the city of Birmingham investigated the question whether the city should undertake to supply electric current for lighting purposes. The report on the whole is a guarded, carefully worded statement of the case, but is finally adverse to any action on the part of the city, mainly on the ground that the electric-lighting industry was not fully developed. After quoting the report in full, Professor Meyer comments as follows: "A more detailed and emphatic confession of utter incapacity of a municipality to take hold of and build up an industry one cannot imagine. Nor can one imagine a more brazen and shameless attitude of mind than was

that of the authors of this document . . . ;" and more to the same effect. Such a comment on this report merely proves that Professor Meyer has finally abandoned himself to a narrow obliquity of judgment. He no longer assumes the attitude of the judge, but rather that of the special pleader.

GARRETT DROPPERS

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## NOTICES

*Facts on Immigration.* New York: The National Civic Federation, 1907. 8vo, pp. ix+151.

Out of a general conference upon immigration held December, 1905, has grown the Immigration Department of the National Civic Federation, organized for the purpose of making a "painstaking investigation of the facts in regard to immigration to the United States." The present volume is a report of conferences on immigration held in New York in September and December, 1906. In the course of these conferences a wide diversity of opinion developed regarding the character of immigrants now coming into the country, the social and economic consequences of immigration and the number of immigrants. Upon one fact all were in practical agreement, namely, that the statistical data at present available bearing upon immigration affords an insufficient basis of opinion and of legislation. The official statistics of immigration are characterized as being misleading and incomplete. Representatives of organized labor and other individual members of the conference favored further restriction of immigration, but a majority of those participating urged suspension of judgment pending investigation of the "facts." This further investigation the committees of the Immigration Department of the National Civic Federation propose to undertake.

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*Factory Legislation in Pennsylvania: Its History and Administration.* By J. LYNN BARNARD. Philadelphia: The University of Pennsylvania, 1907. 8vo, pp. xi+178.

Professor Barnard's monograph upon the *Factory Legislation of Pennsylvania* constitutes Vol. XIX of the "Series in Political Economy and Public Law" published by the University of Pennsylvania. The author has undertaken to set forth "the steps, prosy and uninteresting as they may be, by which Pennsylvania has guaranteed to her toiling citizens one social 'right' after another, and to indicate some of the steps yet to be taken." In the elaboration of its code Pennsylvania ranks with Massachusetts and New York. It is true of Pennsylvania, as of our other great industrial commonwealths that the present need is rather enforcement of existing laws, than further legislation, although undoubtedly our industrial codes are susceptible of considerable improvement. The author follows the course of legislation down to the present day, and devotes several chapters to the administration of the present factory law and child-labor code. He concludes that the people of Pennsylvania "are getting just as good an administration as they insist upon having, or even, perhaps, as they want." It is true, he declares, that "there has existed an active and unscrupulous minority personally interested in the perpetuation of several abuses," and that the great majority which stand for righteousness have been apathetic and uninformed. His monograph is a valuable contribution to the literature dealing with factory legislation in the United States, which is gradually approaching that degree of completeness necessary for scientific comparative study of our state codes.